PTO/SB/21 (09-04)

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10/706,659 **Application Number** Filing Date November 12, 2003 **TRANSMITTAL** First Named Inventor WITZTUM, Joseph L., et al. **FORM** Art Unit 1641 **Examiner Name** COOK, Lisa V. (to be used for all correspondence after initial filing) Attorney Docket Number XUCSD-1034917

11

Total Number of Pages in This Submission

ENCLOSURES (Check all that apply)											
Fee Trans	mittal Form		Drawing(s)		<i>f</i>	After Allowance Communication to TC					
Fee	Attached		Licensing-related Papers	[Appeal Communication to Board of Appeals and Interferences					
Amendme	nt/Reply		Petition			Appeal Communication to TC Appeal Notice, Brief, Reply Brief)					
After	Final		Petition to Convert to a Provisional Application		F	Proprietary Information					
Affidavits/declaration(s)			Power of Attorney, Revocation Change of Correspondence Address			Status Letter Other Enclosure(s) (please Identify					
Extension	of Time Request		Terminal Disclaimer] [⊠ t	pelow): Power of Attorney; Petition for					
Express Abandonment Request		Request for Refund				Revivial; Return postcard					
Information Disclosure Statement		CD, Number of CD(s) Landscape Table on CD									
Certified Copy of Priority Document(s)		Rei	marks								
Response Incomplete	to Missing Parts/ Application										
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	SIGNATU	IRE C	F APPLICANT, ATTORNEY	, OR A	AGEN	IT					
Firm Name GORDON & REES LLP Customer No. 27111											
Signature	Lun a	_ (\sim								
Printed name	Laurie A. Axford										
Date	Fune 15, 2007 Reg. No. 35,053		5,053								
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I hereby certify the sufficient postage the date shown by	e as first class mail in an envelo	facsimoe add	uile transmitted to the USPTO or depressed to: Commissioner for Patents	osited w s, P.O. B	vith the Box 145	United States Postal Service with 60, Alexandria, VA 22313-1450 on					
Signature	Sayle 19	Sol	:zmann								
Typed or printed	name Gayle Katzmann	7	0			Date June 15, 2007					

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. PTO/SB/17 (01-06)

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Application Number 10/706,659 Filing Date November 12, 2003 First Named Inventor WITZTUM, Joseph L, et al. Examiner Name COOK, Lisa V. Art Unit 1641 Texaminer Name Cook, Lisa V. Art Unit 1641 Charge fee(s) Indicated Delow, Except for the filing fee Charge fee(s) indicated Delow, except for the filing fee Charge fee(s) indicated Delow, except for the filing fee Charge fee(s) indicated Delow, except for the filing fee Charge fee(s) indicated Delow, except for the filing fee Charge fee(s) indicated Delow, except for the filing fee Charge fee(s) indicated Delow, except for the filing fee Charge fee(s) indicated Delow, except for the filing fee Charge fee(s) indicated Delow, except for the filing fee Charge fee(s) indicated Delow, except for the filing fee Charge fee(s) indicated Delow, except for the filing fee C	Fees pursuant to the Conso	idated Appropr	iations Act. 2005 ((H.R. 4818).	<u>'</u>	complete ii	KIIOWII		
For FY 2006 First Named Inventor WITZTUM, Joseph L., et al.				_ ~ Ann	olication Number	10/706	,659		
First Named Inventor WITZTUM, Joseph L., et al. Examiner Name COOK, Lisa V. Art Unit 1641 MUNITOR PAYMENT (\$)750.00 Attorney Docket No. XUCSD-1034917 METHOD OF PAYMENT (check all that apply) Check Credit Card Money Order None Other (please identify): Deposit Account Deposit Account Number: 50-1990 Deposit Account Name: Gordon & Rees LLP For the above-identified deposit account, the Director is hereby authorized to: (check all that apply) Charge fee(s) indicated below Charge any additional fee(s) or underpayments of fee(s) Undergout any additional fee(s) or underpayments of fee(s) Undergout and undergout on this form may become public. Credit card information should not be included on this form. Provide credit card information and unthorization on PTO-2038. FEE CALCULATION (All the fees below are due upon filling or may be subject to a surcharge.) BASIC FILING, SEARCH, AND EXAMINATION FEES FILING FEES SEARCH FEES SMAII Entity Application Type Fee (\$) Fe	· LEÉ IK	CNA	IVIE E I	HL Fillir	ng Date	Novem	ber 12, 2003	3	
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If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).		xtra Sheets					<u>Fee (\$)</u>	Fee Paid (\$)	
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This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the In scollection of information is required by 37 CFR 1.136. The information is required to obtain of retain a benefit by the public which is to lile (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments XUCSD/166499784410080404 time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

n re Patent Application of:

WITZTUM, Joseph L., et al.

Serial No.: 10/706,659

Filed: November 12, 2003

For: REAGENTS FOR DIAGNOSING,

IMAGING AND TREATING ATHEROSCLEROTIC DISEASE

Customer No.: 27111

Confirmation No.: 3280

Group Art Unit: 1641

Examiner: COOK, Lisa V.

Docket No.: XUCSD-1034917

[formerly 034123-014]

I HEREBY CERTIFY THAT THIS PAPER IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE WITH SUFFICIENT POSTAGE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450 ON June 15, 2007.

RESPONSE TO NOTICE OF ABANDONMENT

Mail Stop **AMENDMENT**Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Communication is being filed in response to the Notice of Abandonment Mailed May 2, 2007 (a copy of which is enclosed herewith), which indicated that the Request for Continued Examination (RCE) did not include an appropriate submission as required under 37 CFR 1.114. Applicants unintentionally omitted the reply to the outstanding Office Action, including amendments to the claims, in this RCE. Accordingly, it is now presented below.

Please amend the above-identified application as follows:

Amendments to the Claims begin on page 2 of this paper.

Remarks begin on page 4 of this paper.

Summary begins on page 5 of this paper.